♣ Approved for Filing: D.S Larsen ♣ 02-12-04 4:16 PM ♣

ELIGIBILITY FOR INTERSCHOLASTIC
ATHLETICS RESOLUTION
2004 GENERAL SESSION
STATE OF UTAH
Sponsor: Ann W. Hardy
LONG TITLE
General Description:
This resolution of the House of Representatives urges the Utah State Board of
Education to review and take action to resolve concerns regarding student transfers and
athletic eligibility.
Highlighted Provisions:
This resolution:
<ul> <li>urges the Utah State Board of Education to review, in consultation with the Utah</li> </ul>
High School Activities Association, issues related to student transfers and athletic
eligibility and take action to resolve concerns regarding these processes; and
<ul> <li>urges that legislative action be taken in the 2005 General Session if these issues are</li> </ul>
not resolved by the end of 2004.
Special Clauses:
None
Be it resolved by the House of Representatives of the state of Utah:
WHEREAS, Utah Code Subsection 53A-2-208(4) states "The State Board of
Education, in consultation with the Utah High School Activities Association, shall establish
policies regarding nonresident student participation in interscholastic competition.";
WHEREAS, an audit published by the Office of the Legislative Auditor General in
June, 2003 indicated that there are inconsistencies between bylaws of the Utah High School



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28	Activities Association and rules of the Utah State Office of Education regarding the transfer
29	and athletic eligibility of students;
30	WHEREAS, academics is the purpose of public education and athletic participation is a
31	privilege that should be conducted in a way that is beneficial to all who desire to participate;
32	WHEREAS, academics and not athletics should determine school choice;
33	WHEREAS, rules of the State Board of Education and bylaws of the Utah High School
34	Activities Association should prevent recruiting of all students at any age for the purpose of
35	playing sports at a particular high school and address the issues identified in the Legislative
36	Auditor General's audit;
37	WHEREAS, the rules and bylaws should treat equally all students who want to compete
38	athletically for a high school outside of their home boundary whether they make this decision
39	before or after beginning high school;
40	WHEREAS, the Utah State Board of Education has asked for additional time to review
41	the issue and take action;
42	WHEREAS, efforts to bring consistency to the rules of the Utah State Office of
43	Education and the bylaws of the Utah High School Activities Association should ensure that
44	they are also consistent with state law; and
45	WHEREAS, if action is not taken before the 2005 General Session, the Legislature
46	should strongly consider taking action to resolve the issues surrounding student transfers and
47	athletic eligibility:
48	NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the
49	state of Utah urges the Utah State Board of Education to review, in consultation with the Utah
50	High School Activities Association, the issues related to student transfers and athletic
51	eligibility and take action to resolve concerns regarding these processes.
52	BE IT FURTHER RESOLVED that the House of Representatives urges that, if these
53	issues are not resolved by the end of 2004, action be taken in the 2005 General Session.
54	BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah State
55	Board of Education, the Utah State Office of Education, and the Utah High School Activities
56	Association.

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Legislative Review Note as of 2-11-04 2:00 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note	Eligibility for Interscholastic Athletics Resolution	18-Feb-0
Bill Number HR0011		5:09 PM
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Stata Impact		
State Impact		

## Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst